PATENT APPLICATION
Serial No. 09/840,572
Attorney Docket No. 3419-01069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
SURESH C. GUPTA et al.	:	**ELECTRICAL SYSTEM**
	:	**FOR TURBINE/ALTERNATOR**
Serial No. 09/840,572	:	**ON COMMON SHAFT**
Filed April 23, 2001	:	
Group Art Unit: 3746	:	
Examiner Not Yet Assigned	:	

Pittsburgh, Pennsylvania
July 23, 2001

PETITION TO FILE UNDER 37 C.F.R. § 1.47(a)

BOX MISSING PARTS
Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby petition the Commissioner to accept this application for filing under 37 C.F.R. § 1.47(a). Submitted herewith is a Declaration and Power of Attorney signed by three (3) of the four (4) named joint inventors. This declaration has been signed on behalf of each joint inventor, as required by 37 C.F.R. § 1.63, and also on behalf of the non-signing joint inventor, as required by 37 C.F.R. § 1.64. The Declaration also includes the last known address of the non-signing joint inventor as required by 37 C.F.R. § 1.47(a). Suresh C. Gupta, Douglas R. Burnham, J. Michael Teets and Jon W. Teets are believed to be the original, first and joint inventors of the subject matter of the present application. Suresh C. Gupta is the joint inventor who refuses to execute the Declaration and Power of Attorney for this application. Mr. Gupta is a citizen of India and his last known address is 3351 Rossmore Way, Los Alamitos, California 90720.

Attached hereto in support of this Petition is a Declaration of Facts by Richard L. Byrne, Esq., who has first-hand knowledge of the facts recited in the Declaration. This application is a continuation of parent application serial no. 09/319,390, which was the United States National Phase of PCT/US97/22405, filed December 3, 1997. The inventor Suresh C. Gupta refused to sign the formal papers in the parent application. On June 19, 2001, Mr. Byrne sent a letter to Mr. Gupta, together with a Declaration and Power of Attorney and an Assignment, requesting his signature on these documents for the above-identified application. This letter was sent by Certified Mail and was received by Mr. Gupta. As of July 23, 2001, Mr. Byrne has received no response to this letter. The Declaration of Facts, together with the June 19, 2001 letter and the unsigned Declaration and Power of Attorney establish Mr. Gupta's refusal to sign the application appears in the present application.

The Petitioner respectfully requests this Petition be granted and the present application be filed under 37 C.F.R. § 1.47(a). This Petition requires a fee of $130.00 under 37 C.F. R. § 1.17(i) and a check in that amount is enclosed herewith.

The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650, or refund any overpayment to

the same deposit account of Webb Ziesenheim Logsdon Orkin & Hanson, P.C. An original and two copies of this Petition are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By _____

Richard L. Byrne
Registration No. 28,498
Attorney for Applicants
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone No. 412-471-8815
Facsimile No. 412-471-4094

PATENT APPLICATION/PCT
Serial No. 09/319,390
Attorney Docket No. 3419/990822

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

SURESH C. GUPTA, DOUGLAS R. BURNHAM, J. MICHAEL TEETS and JON W. TEETS : ELECTRICAL SYSTEM FOR TURBINE/ALTERNATOR ON COMMON SHAFT

International Application No. PCT/US97/22405 :

International Filing Date 03 December 1997 :

Priority Date Claimed 03 December 1996 :

Serial No. 09/319,390 :

Received 01 June 1999 :

Pittsburgh, Pennsylvania
January 3, 2000

DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OMITTED INVENTOR

BOX PCT
Assistant Commissioner for Patents
Washington D.C. 20231

Attention: DO/EO/US

Sir:

I, Richard L. Byrne, declare that:

1. I am the attorney for the owner and assignee of the above-referenced application.

"EXPRESS MAIL" mailing label number EL426957130
Date of Deposit January 3, 2000
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

Kimberly N. Weldav
(Type or print name of person mailing paper)
Kimberly N. Weldav
(Signature of person mailing paper)

APPENDIX "A"

2. On October 29, 1999, I sent a letter to Mr. Suresh C. Gupta, together with a Declaration and Power of Attorney, requesting his signature for this Declaration and Power of Attorney. A copy of this letter is attached hereto as Appendix A.

3. On December 7, 1999, I placed a call and left a message for Mr. Gupta, requesting that he sign the Declaration and Power of Attorney, which was sent to Mr. Gupta on October 29, 1999.

4. On December 8, 1999, Mr. Gupta called me and indicated that he would sign the Declaration and Power of Attorney. These were not returned after that telephone call.

5. On December 23, 1999, I sent a letter, via Federal Express, to Mr. Gupta, together with another copy of the Declaration and Power of Attorney and the Assignment document, requesting his signature for both of these documents. A copy of this letter is attached hereto as Appendix B, and a copy of the unsigned Assignment is attached hereto as Appendix C.

6. As of January 3, 2000, I have received no response and no signed paper from Mr. Gupta as requested in the December 23, 1999 letter and attachments.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date January 3, 2000 Richard L. Byrne

Richard L. Byrne

Z 562 160 037

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to	
Street & Number	
Post Office, State, & ZIP Code	
Postage	$ .76
Certified Fee	1.90
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.50
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$ 4.16
Postmark or Date	3419 - 010698

PS Form 3800, April 1995

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Suresh C. Gupta
3351 Rossmore Way
Los Alamitos, CA 90720

COMPLETE THIS SECTION ON DELIVER

A. Received by *(Please Print Clearly)* B. Da

C. Signature

X

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

LOS ALAMITOS JUN

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☑ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
Z 562 160 036

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

APPENDIX "C"

WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219-1818
TELEPHONE 412-471-8815
FAX 412-471-4094
E-MAIL webblaw@webblaw.com

PATENT, TRADEMARK & COPYRIGHT LAW

WILLIAM H. LOGSDON
RUSSELL D. ORKIN
DAVID C. HANSON
FREDERICK B. ZIESENHEIM
RICHARD L. BYRNE
KENT E. BALDAUF
BARBARA E. JOHNSON
PAUL M. REZNICK
JOHN W. McILVAINE III
BLYNN L. SHIDELER

WILLIAM H. WEBB (1929-1997)

JULIE W. MEDER
LESTER N. FORTNEY
RANDALL A. NOTZEN
JAMES G. PORCELLI
KENT E. BALDAUF, JR.
CHRISTIAN E. SCHUSTER
THOMAS J. CLINTON
DEAN E. GEIBEL
NATHAN J. PREPELKA
JESSICA M. SOSENKO
KIRK M. MILES
J. MATTHEW PRITCHARD IV

PATENT AGENT
GARY F. MATZ

June 19, 2001

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Suresh C. Gupta
3351 Rossmore Way
Los Alamitos, CA 90720

Re: U.S. Continuation Application Serial No. 09/840,572 entitled "Electrical System for Turbine/Alternator on Common Shaft"
Our File 010698 Your Ref: ELL-427

Dear Mr. Gupta:

As you are aware, we have been prosecuting a United States application as well as corresponding foreign applications on the above-identified invention. We recently filed a continuation application in the United States and are once again faced with a requirement for submitting certain formal papers so that the application can proceed to examination on the merits. You have already been sent copies of the previously filed United States application, and the United States continuation application is merely a copy of the application already in your possession.

To that effect, I am enclosing originals of the following documents for you to sign and date:

1. "Declaration and Power of Attorney" for the United States continuation application; and

2. "Assignment" for the United States continuation application.

A self-addressed, stamped envelope is enclosed for your convenience in returning these signed documents to me.

APPENDIX "B"

If you have any questions, please contact me. Otherwise, I look forward to receiving the signed documents as soon as possible, as we are facing a mid-July 2001 filing deadline in the United States Patent and Trademark Office.

Very truly yours,

Richard L. Byrne

RLB/dp
Enclosures
bcc: William K. Cox, Esq. (w/o encl.)
Hideyuki Kuwajima (w/o encl.)

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Richard L. Byrne
Webb Zi senh im Logsdon Orkin & Hanson P.C.
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

COPY MAILED

SEP 1 7 2002

OFFICE OF PETITIONS

In re Application of :
Suresh C. Gupta et al :
Application No. 09/840,572 : DECISION GRANTING
Filed: April 23, 2001 :STATUS UNDER 37 CFR 1.47(a)
Attorney Docket No: 3419-010698 :
:

This is in response to the petition under 37 CFR 1.47(a), filed July 23, 2001.

The petition is granted.

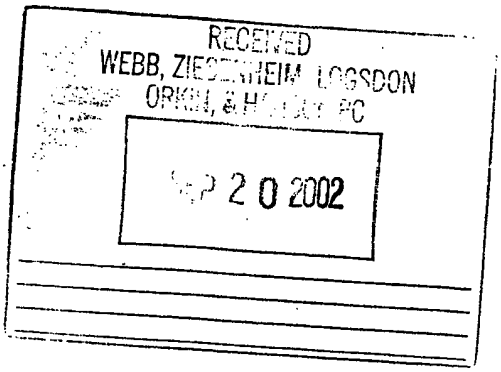
Petitioner has shown that the nonsigning inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the nonsigning inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-8680.

This application is being forwarded to Technology Center AU 2834 for appropriate action on the reply received June 11, 2002.

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Sur sh C. Gupta
3351 Rossmor Way
Los Alamitos, CA 90720

COPY MAILED

SEP 1 7 2002

OFFICE OF PETITIONS

In re Application of
Suresch C. Gupta et al
Application No. 09/840,572
Filed: April 23, 2001
For: ELECTRICAL SYSTEM FOR TURBINE/ALTERNATOR ON COMMON SHAFT

Dear Mr. Gupta:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-8680. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Richard L. Byrne
Webb Ziesenheim Logsdon Orkin & Hanson P.C.
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

PATENT APPLICATION
Serial No. 09/840,572
Attorney Docket No. 3419-01069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
SURESH C. GUPTA et al.	:	**ELECTRICAL SYSTEM FOR TURBINE/ALTERNATOR ON COMMON SHAFT**
Serial No. 09/840,572	:	
Filed April 23, 2001	:	
Group Art Unit: 3746	:	
Examiner Not Yet Assigned	:	

Pittsburgh, Pennsylvania
July 23, 2001

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

BOX MISSING PARTS
Commissioner for Patents
Washington, DC 20231

Sir:

Enclosed for your review and filing are the following documents to complete the filing of the United States patent application, filed April 23, 2001, bearing serial no. 09/840,572, which application is a continuation of Application serial no. 09/319,390, filed July 19, 2000.

1. a Declaration and Power of Attorney signed by three (3) of the four (4) joint inventors on their own behalf and on behalf of the one omitted inventor who refused to sign;

2. a Petition to File Under 37 C.F.R. § 1.47(a);

3. a Declaration of Facts by Richard L. Byrne, Esquire, including copies of appendices;

4. the Part 2 of the Notice to File Missing Parts of Nonprovisional Application dated May 23, 2001;

5. a check in the amount of $130.00 to cover the surcharge for late filing of the formal documents for the above-referenced patent application; and

6. a check in the amount of $130.00 to cover the fee for the Petition to File Under 37 C.F.R. § 1.47(a).

The Commissioner for Patents is hereby authorized to charge any additional fees which may be required as set forth in 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Letter are attached.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By _____

Richard L. Byrne
Registration No. 28,498
Attorney for Applicants
700 Koppers Building
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Telephone No. 412-471-8815
Facsimile No. 412-471-4094